

Filed Under Seal

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>19-307</u>
v.	:	DATE FILED: September 4, 2019
MANUEL LOPEZ-AVITIA,	:	VIOLATIONS:
a/k/a "Compa"	:	21 U.S.C. § 846) (conspiracy to distribute
DABINSSON NINO-MEYER,	:	400 grams or more of fentanyl – 1 count)
a/k/a "Colombian"	:	21 U.S.C. § 841(a)(1) (possession with
RUDY CABRERA	:	intent to distribute 400 grams or
EBERT CABRERA,	:	more of fentanyl – 1 count)
a/k/a "Bola"	:	21 U.S.C. § 841(a)(1) (possession with
ANGEL GABRIEL AYBAR	:	intent to distribute 400 grams or more of
a/k/a "Gabby,"	:	fentanyl and 100 grams or more of heroin
JOSE GENAO-CABA	:	– 1 count)
FRANKLIN GENAO-CABA	:	18 U.S.C. § 2 (aiding and abetting)
FRANCISCO GENAO-CABA	:	Notice of forfeiture
JOSE MAZARA-MUNOZ	:	
JOSE NIEVES-VELEZ	:	
EMANUEL RODRIGUES-SANTIAGO	:	
HAMLET BETANCOURT-PIMENTEL	:	
LUIS RAMON LLANOS,	:	
a/k/a "Edwin"	:	

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From on or about May 30, 2017 through on or about March 3, 2019, in Allentown, Whitehall, Morgantown, Philadelphia, and Bensalem in the Eastern District of Pennsylvania, and elsewhere, defendants

MANUEL LOPEZ-AVITIA,
a/k/a "Compa,"

**DABINSSON NINO-MEYER,
a/k/a “Colombian,”
RUDY CABRERA,
EBERT CABRERA,
a/k/a “Bola,”
ANGEL GABRIEL AYBAR,
a/k/a “Gabby,”
JOSE GENAO-CABA,
FRANKLIN GENAO-CABA,
FRANCISCO GENAO-CABA,
JOSE MAZARA-MUNOZ,
JOSE NIEVES-VELEZ,
EMANUEL RODRIGUES-SANTIAGO,
HAMLET BETANCOURT-PIMENTEL, and
LUIS RAMON LLANOS,
a/k/a “Edwin”**

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 400 grams or more, that is approximately 17 kilograms, of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (“fentanyl”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was a part of the conspiracy that:

2. Defendant MANUEL LOPEZ-AVITIA, a Mexican national with access to kilogram quantities of fentanyl from sources in Mexico, was the leader of a large-scale drug organization that received, prepared, distributed and sold for profit kilogram and multi-hundred gram quantities of fentanyl throughout the United States, including Pennsylvania, Michigan, New York, Chicago, Illinois, Colorado, California, Texas and Arizona. Specifically, the drug

organization operated in various cities in Pennsylvania, including Allentown, Whitehall, Morgantown, Philadelphia, and Bensalem, and elsewhere.

3. Defendant MANUEL LOPEZ-AVITIA directed, employed and paid defendants DABINSSON NINO-MEYER, RUDY CABRERA, EBERT CABRERA, ANGEL GABRIEL AYBAR, JOSE GENAO-CABA, FRANKLIN GENAO-CABA, FRANCISCO GENAO-CABA, JOSE MAZARA-MUNOZ and LUIS RAMON LLANOS, who served in various capacities in order to carry out the transportation, storage, distribution, and sale for profit of kilogram quantities of controlled substances, including fentanyl.

4. Defendant MANUEL LOPEZ-AVITIA maintained stash houses to store and safeguard kilogram quantities of fentanyl in order to arrange for the distribution of bulk quantities of fentanyl, as well as for collecting and storing drug proceeds. Specifically, defendant LOPEZ-AVITIA maintained a stash house located at 316 Calvert Street, Whitehall, Pennsylvania (the "Whitehall stash house"), where kilogram quantities of controlled substances, including fentanyl, were concealed stored and loaded into vehicles with concealed compartments for transportation and delivery to customers across the United States. The Whitehall stash house was also used to store and conceal proceeds from drug sales and to maintain records from those sales.

5. Defendant DABINSSON NINO-MEYER was employed by defendant MANUEL LOPEZ-AVITIA to operate and maintain the Whitehall stash house.

6. Defendant MANUEL LOPEZ-AVITIA retained and paid multiple workers, including defendants DABINSSON NINO-MEYER, ANGEL GABRIEL AYBAR, RUDY CABRERA, EBERT CABRERA, JOSE GENAO-CABA, FRANKLIN GENAO-CABA,

FRANCISCO GENAO-CABA, JOSE MAZARA-MUNOZ, JOSE NIEVES-VELEZ and LUIS RAMON LLANOS, on a periodic basis to obtain, transport, store, package and deliver kilogram quantities of controlled substances, including fentanyl, and money to and from customers identified by workers, including defendants RUDY CABRERA, EBERT CABRERA, JOSE GENAO-CABA, FRANKLIN GENAO-CABA, and FRANCISCO GENAO-CABA.

7. Defendant MANUEL LOPEZ-AVITIA utilized a succession of cell phones to communicate in code and by video with his fentanyl suppliers, workers, and various customers served by his workers, including defendants DABINSSON NINO-MEYER, ANGEL GABRIEL AYBAR, RUDY CABRERA, EBERT CABRERA, JOSE GENAO-CABA, FRANKLIN GENAO-CABA, FRANCISCO GENAO-CABA, JOSE MAZARA-MUNOZ, JOSE NIEVES VELEZ, and LUIS RAMON LLANOS.

8. Defendants JOSE GENAO-CABA, FRANCISCO GENAO-CABA and FRANKLIN GENAO-CABA assisted defendant MANUEL LOPEZ-AVITIA in acquiring, maintaining, coordinating and driving vehicles with and without concealed compartments used by the organization to transport drugs and drug proceeds, and also assisted in the transportation and distribution of drugs to numerous customers and the collection of proceeds for delivery to defendant MANUEL LOPEZ-AVITIA, and to the stash house manager, defendant DABINSSON NINO-MEYER.

9. Following the arrest of defendant JOSE GENAO-CABA on October 22, 2018, defendants RUDY CABRERA and EBERT CABRERA assumed responsibility for developing customers and negotiating with and delivering fentanyl to customers of defendant MANUEL LOPEZ-AVITIA. Defendants RUDY CABRERA and EBERT CABRERA regularly

communicated by cell phone with and took instructions from defendant MANUEL LOPEZ-AVITIA. Defendants RUDY CABRERA and EBERT CABRERA traveled to various states in the United States to interface with defendant LOPEZ-AVITIA's customers, including defendants ANGEL GABRIEL AYBAR and JOSE NIEVES-VELEZ, specifically to acquire and deliver kilogram quantities of fentanyl, to coordinate with drivers paid by defendant MANUEL LOPEZ-AVITA, including defendant LUIS RAMON LLANOS, and to collect payments of U.S. currency to be remitted to defendant LOPEZ-AVITIA.

10. At the direction of defendant MANUEL LOPEZ-AVITIA, defendants RUDY CABRERA and EBERT CABRERA distributed kilogram quantities of fentanyl to defendant LOPEZ-AVITIA's customers, including defendants ANGEL GABRIEL AYBAR and JOSE NIEVES-VELEZ, one or more of whom who paid workers, including EMANUEL RODRIGUES-SANTIAGO and HAMLET BETANCOURT PIMENTEL to cut and bag the fentanyl for street sale and distribution.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants MANUEL LOPEZ-AVITIA, DABINSSON NINO-MEYER, RUDY CABRERA, EBERT CABRERA, ANGEL GABRIEL AYBAR, JOSE GENAO-CABA, FRANKLIN GENAO-CABA, FRANCISCO GENAO-CABA, JOSE MAZARA-MUNOZ, JOSE NIEVES-VELEZ, EMANUEL RODRIGUES-SANTIAGO, HAMLET BETANCOURT-PIMENTEL and LUIS RAMON LLANOS committed the following overt acts, among others, in the Eastern District of Pennsylvania, and elsewhere:

1. On or about May 30, 2017, defendant DABINSSON NINO-MEYER drove a silver 2012 Nissan Altima, with Pennsylvania registration KPH5134, containing a concealed dashboard compartment in Bensalem, Pennsylvania, on his way from New York, and stated to a law enforcement officer that the vehicle he was driving belonged to and was registered in the name of a friend, defendant JOSE GENAO-CABA.

2. From on or about May 1, 2018, to on or about May 8, 2018, at the direction of defendant MANUEL LOPEZ-AVITIA, defendant JOSE GENAO-CABA drove a silver 2012 Nissan Altima, with Pennsylvania registration KPH5134, from Philadelphia to a truck yard in Kearny, New Jersey, where defendant JOSE MAZARA-MUNOZ delivered 5 kilograms of fentanyl to defendant GENAO-CABA, which defendant GENAO-CABA then placed inside the concealed dashboard compartment of the vehicle to transport back to the Whitehall stash house at 316 Calvert Street, Whitehall, Pennsylvania, controlled by defendant DABINSSON NINO-MEYER.

On or about May 15, 2018:

3. At the direction of defendant MANUEL LOPEZ-AVITIA, defendant JOSE GENAO-CABA drove a silver 2012 Nissan Altima, with Pennsylvania registration KPH5134, from Philadelphia to New Jersey, to meet defendant JOSE MAZARA-MUNOZ, who delivered 5 kilograms of fentanyl to defendant GENAO-CABA, which defendant GENAO-CABA then placed inside the concealed dashboard compartment of the Nissan to transport back to the Whitehall stash house controlled by defendant DABINSSON NINO-MEYER. Defendant JOSE GENAO-CABA further delivered a payment between approximately \$10,000 and \$15,000 in U.S. currency to defendant MAZARA-MUNOZ for the transportation of the drugs.

4. Defendant JOSE GENAO-CABA was stopped for speeding, window tint and unclear tag violations by the New Jersey State Police (NJSP), while driving a silver 2012 Nissan Altima, with PA reg. KPH5134, at approximately 1:09 p.m. at milepost 52.6 of Interstate 78, Westbound in Union Township, New Jersey, while transporting multi-kilogram quantities of a controlled substance that were not discovered by law enforcement officers conducting the stop.

On or about May 17, 2018:

5. Between approximately 4:41 p.m. and 5:35 p.m., during multiple intercepted phone calls of defendant FRANCISCO GENAO-CABA's cellular telephone (856) 263-0899, defendants JOSE GENAO-CABA and FRANCISCO GENAO-CABA discussed the drug proceeds that defendant JOSE GENAO-CABA needed to bring to defendant FRANKLIN GENAO-CABA's house because defendant JOSE GENAO-CABA had "a problem" and it was "urgent," and defendant JOSE GENAO-CABA further stated that "these people are waiting" and that it was "the Compa" [defendant MANUEL LOPEZ-AVITIA].

6. Shortly after these discussions, defendant FRANCISCO GENAO-CABA brought a bag to defendant FRANKLIN GENAO-CABA's residence. Defendant DABINSSON NINO-MEYER met with defendant JOSE GENAO-CABA at defendant FRANKLIN GENAO-CABA's residence and then defendants NINO-MEYER and JOSE GENAO-CABA left with the bag that defendant FRANCISCO GENAO-CABA had delivered.

7. At 10:37 p.m., during an intercepted phone call, defendant FRANCISCO GENAO-CABA explained how defendant JOSE GENAO-CABA had been stopped by police for tint on his car windows while transporting "6" (kilograms) in the "trap" in the car and that the police did not find the "trap." Defendant FRANCISCO GENAO-CABA also stated that a dog

alerted to the front wheel of the car and the car had been taken to an impound lot, but was released, and that defendant JOSE GENAO-CABA had a total of "15" [kilograms] and was planning on making three trips since the "trap" only held "6" [kilograms].

8. On or about May 22 or May 23, 2018, at the direction of defendant MANUEL LOPEZ-AVITIA, defendant DABINSSON NINO-MEYER arranged to have the Nissan Altima with the concealed compartment loaded with 5 kilograms of fentanyl to be transported by commercial car carrier to Detroit, Michigan in order that defendant JOSE GENAO-CABA could deliver the fentanyl to defendant LOPEZ-AVITIA's customer and receive a cash payment.

9. On or about May 24, 2018, at the direction of defendant MANUEL LOPEZ-AVITIA, defendant JOSE GENAO-CABA took a flight from Philadelphia, Pennsylvania to Detroit, Michigan, where defendant JOSE GENAO-CABA met the commercial car carrier driver and paid for the transportation of the silver Nissan Altima containing the 5 kilograms of fentanyl and then drove the vehicle to a pre-arranged meeting site where he met defendant LOPEZ-AVITIA's customer and delivered the 5 kilograms of fentanyl in exchange for approximately \$9,000 in U.S. currency.

10. On or about May 25, 2018, defendant JOSE GENAO-CABA drove the Nissan Altima back to the Whitehall stash house and delivered the cash payment to defendant DABINSSON NINO-MEYER.

11. On or about May 31, 2018, at the direction of defendant MANUEL LOPEZ-AVITIA, defendant JOSE GENAO-CABA drove to a Kearny, New Jersey truck yard and picked up a third shipment of 5 kilograms of fentanyl from defendant JOSE MAZARA-MUNOZ.

On or about May 31, 2018:

12. Defendant JOSE GENAO-CABA met with defendant DABINSSON NINO-MEYER at defendant JOSE GENAO-CABA's house on Tyson Avenue in Philadelphia, and sat in defendant NINO-MEYER's white SUV for a long period of time talking, and then both men entered the Nissan Altima containing the concealed compartment and drove around the block and through the alley behind defendant JOSE GENAO-CABA's house.

13. During the meeting between defendants JOSE GENAO-CABA and DABINSSON NINO-MEYER in Philadelphia, defendant JOSE GENAO-CABA opened the concealed compartment in the Nissan dash, and removed each kilogram package from the concealed compartment in order that defendant NINO-MEYER could take photographs of the kilograms because of complaints that had been received about the quality of previously delivered kilograms of fentanyl. After taking the photographs the kilograms were returned to the concealed compartment.

14. Defendant DABINSSON NINO-MEYER sent cell phone photos of the kilograms of fentanyl to defendant MANUEL LOPEZ-AVITIA, and then took the Nissan Altima keys from defendant JOSE GENAO-CABA and defendant NINO-MEYER returned to the Whitehall stash house.

15. On or about June 1, 2018, defendant DABINSSON NINO-MEYER left the Whitehall stash house, returned to Philadelphia, and removed three of the five kilograms of fentanyl from the concealed compartment in the silver 2012 Nissan Altima. Defendant NINO-MEYER then delivered the three kilograms of fentanyl to defendant RUDY CABRERA in New York, New York, for distribution and resale by defendant ANGEL GABRIEL AYBAR.

16. On or about June 5, 2018, defendant ANGEL GABRIEL AYBAR traveled to the

Whitehall stash house and met with defendant DABINSSON NINO MEYER and then returned to his vehicle and removed a suitcase from the rear of the vehicle and took it inside the residence. Shortly thereafter, defendant ANGEL GABRIEL AYBAR left the Whitehall stash house without the suitcase he had taken inside the residence.

17. On or about June 14, 2018, defendant MANUEL LOPEZ-AVITIA directed defendant JOSE GENAO-CABA to transport two kilograms of fentanyl to Detroit, Michigan to be delivered to defendant LOPEZ-AVITIA's customer. While defendant JOSE GENAO-CABA was transporting and towing the Nissan Altima containing the two kilograms in the concealed dashboard compartment, defendant JOSE GENAO-CABA was stopped and by law enforcement on the Pennsylvania Turnpike near Morgantown, PA and the two kilograms of fentanyl were seized from the concealed compartment.

18. On or about February 5, 2019, defendants RUDY CABRERA and EBERT CABRERA, in the presence of defendant JOSE NIEVES-VELEZ, engaged in a video telephone call with defendant MANUEL LOPEZ-AVITIA during which defendant LOPEZ-AVITIA agreed to supply defendant JOSE NIEVES-VELEZ with two kilograms of fentanyl, for use in his fentanyl mill operation. Defendants RUDY CABRERA and EBERT CABRERA arranged for defendant LUIS RAMON LLANOS to deliver the two kilograms of fentanyl to defendant JOSE NIEVES-VELEZ.

19. On or about February 21, 2019, at the direction of defendants MANUEL LOPEZ-AVITIA, RUDY CABRERA and EBERT CABRERA, defendant LUIS RAMON LLANOS traveled to Ohio to pick up two kilograms of fentanyl and then drove from Ohio to Bensalem, Pennsylvania to complete the delivery of the fentanyl to defendants EBERT CABRERA and

JOSE NIEVES-VELEZ.

20. On or about February 21, 2019, defendant LUIS RAMON LLANOS delivered two kilograms of fentanyl to defendants EBERT CABRERA and JOSE NIEVES-VELEZ in the Neshaminy Mall in Bensalem, Pennsylvania, after defendant LUIS RAMON LLANOS drove a gray Honda Accord from Maryland to Ohio, and then to the Neshaminy Mall at the direction of defendant MANUEL LOPEZ-AVITIA.

21. On or about February 21, 2019 through March 2, 2019, defendants MANUEL LOPEZ-AVITIA, RUDY CABRERA, EBERT CABRERA, JOSE NIEVES-VELEZ, EMANUEL RODRIGUES-SANTIAGO, HAMLET BETANCOURT-PIMENTEL and LUIS RAMON LLANOS possessed with intent to distribute approximately two kilograms of fentanyl, along with fentanyl packaging material and other drug paraphernalia inside defendant NIEVES-VELEZ's apartment at 1262 Neshaminy Valley Drive, Bensalem, Pennsylvania.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 14, 2018, in Morgantown, in the Eastern District of Pennsylvania, defendants

**MANUEL LOPEZ-AVITIA,
a/k/a "Compa,"
DABINSSON NINO-MEYER,
a/k/a "Colombian,"
RUDY CABRERA,
EBERT CABRERA,
a/k/a "Bola,"
ANGEL GABRIEL AYBAR,
a/k/a "Gabby,"
JOSE GENAO-CABA,
FRANKLIN GENAO-CABA,
FRANCISCO GENAO-CABA, and
JOSE MAZARA-MUNOZ**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute, 400 grams or more, that is, approximately 2 kilograms, of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide ("fentanyl"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1),(b)(1)(A) and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 2, 2019, in Bensalem, in the Eastern District of Pennsylvania,
defendants

**MANUEL LOPEZ-AVITIA,
a/k/a "Compa,"
RUDY CABRERA,
EBERT CABRERA,
a/k/a "Bola,"
JOSE NIEVES-VELEZ,
EMANUEL RODRIGUES-SANTIAGO,
HAMLET BETANCOURT-PIMENTEL, and
LUIS RAMON LLANOS,
a/k/a "Edwin"**

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute, 400 grams or more, that is, approximately 858 grams, of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide ("fentanyl"), a Schedule II controlled substance, and 100 grams or more, that is approximately 256.7 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A),
(b)(1)(B) and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

1. As a result of the violation of Title 21, United States Code, Sections 846, 841(a)(1), set forth in this superseding indictment, defendants

**MANUEL LOPEZ-AVITIA,
a/k/a "Compa,"
DABINSSON NINO-MEYER,
a/k/a "Colombian,"
RUDY CABRERA,
EBERT CABRERA,
a/k/a "Bola,"
ANGEL GABRIEL AYBAR,
a/k/a "Gabby,"
JOSE GENAO-CABA,
FRANKLIN GENAO-CABA,
FRANCISCO GENAO-CABA,
JOSE MAZARA-MUNOZ,
JOSE NIEVES-VELEZ,
EMANUEL RODRIGUES-SANTIAGO,
HAMLET BETANCOURT-PIMENTEL, and
LUIS RAMON LLANOS,
a/k/a "Edwin,"**

shall forfeit to the United States of America:

(a) Any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense; and

(b) Any property constituting, or derived from, any proceeds obtained directly or indirectly from the commission of such offense, including but not limited to, \$35,829.00 in U. S. currency seized on March 2, 2019.

2. If any of the property described above as being subject to forfeiture, as a result of any act of omission of the defendant:

(a) cannot be located upon the exercise of due diligence;


- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON



WILLIAM M. MCSWAIN
United States Attorney